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Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[20 August 2018]

* Issued as received, in the language(s) of submission only.

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Victims of Torture and Forced Disappearance among the Palestinians of the Syrian Arab Republic

Overview

As anti-government uprisings have been met with brutal crackdowns and mass detentions across the embattled Syrian territories, hundreds of Palestinians have been secretly hanged in the country's secret dungeons.

Witness accounts by activists, ex-detainees, and testimonies provided proof of fatal torture among Palestinian refugees throughout the country's seven-year conflict.

Deprived of the legal and physical protection laid down by international conventions such as the 1951 Refugee Convention, the Palestinians of the Syrian Arab Republic have fallen victims to extra-judicial killing, arbitrary detention, forced disappearance, and psycho-physical torture.

The Action Group for Palestinians of Syria (AGPS) documented the death of 536 Palestinians, among them 34 women, as a result of torture in Syrian prisons run by the government or by opposition groups. Hundreds more have had their lives turned upside down due to the psycho-physical upshots wrought by the ruthless torture tactics they have been made to endure.

Victims of Torture

AGPS data indicates that 1,682 Palestinian refugees have been incarcerated in Syrian jails under very dire conditions.

Affidavits by ex-detainees provided evidence of harsh torture tactics, including electric shocks, heavy beating using whips and iron sticks, and sexual abuse, in a flagrant violation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, commonly known as the United Nations Convention against Torture (UNCAT).

Internationally recognized human rights reports said detainees' bodies have been withheld in government-run schools, factories, pitches, military bases, hospitals, and subterranean vaults.

The opposition groups have also been involved in crimes of torture and enforced disappearance. One such case occurred on March 20, 2013, when the Palestinian refugee Basel Abboud was kidnapped by opposition gunmen from AlHajar AlAswad zone, adjacent to Yarmouk Camp. He was pronounced dead sometime later. Traces of harsh torture were spotted all over his body.

Marwan Awad, from Khan Eshieh Camp, west of Damascus, received a similar fate. His mutilated corpse appeared at a government hospital in Damascus on November 3, 2012, just a couple of days after he was kidnapped by anti-government forces.

Arbitrary Detention and Enforced Disappearance

Abduction at Checkpoints

The Syrian government green-lighted the abduction of persons over alleged affiliations with opposition groups along with those whose names appear on unverified lists of wanted persons. Holders of similar names were often captured in such sweeps and made to endure exhaustive questioning.

Abductions at Main Entrances to Besieged Zones

Scores of Palestinian refugees were kidnapped by Syrian government troops on their way out of opposition-led zones. Seeking to toughen its crackdown on movement, the Syrian government stipulated that in order for Palestinian refugees sheltered in Yarmouk Camp and the towns of Yalda, Babila, and Beit Sahem to gain access to Damascus a formal consent should be issued to that very end.

Abduction of Refugees on Their Way to Fetch Relief Items

Several Palestinian refugees were arrested as they rummaged around for relief items. Refugee Mohamed AlSersawi, aged 50, was pronounced dead on August 5, 2014 as a result of torture. He was kidnapped at the Sabina checkpoint in Rif Dimashq as he left the area seeking relief items.

Withholding of Death Notices for Prisoners:

The families of Palestinian detainees in Syrian penitentiaries have been subjected to blackmailing as they attempted to identify their relatives' fates. Appeals for information have often been met with firm rebuffs or gag orders by Syria's uncompromising prison authorities.

A list of names released by the Syrian government in July 2018 and handed over to the civil registration office shows that most of the refugees died shortly after they were sent to jail. However, they were pronounced dead after a long while.

For instance, Palestinian refugee Yaser Yousef AlKarkati, jailed since 2013, was pronounced dead on July 18, 2018, almost three years after he died (reportedly in October 2015).

Bodies Withheld by Prison Authorities:

Scores of dead bodies have been withheld by the Syrian government forces. The families receive the death notice but rarely see their relatives' corpses, in a measure that stirs doubt as to the bodies' condition. Cases of organ pillage and despoliation have been frequently reported. Most of the casualties' bodies have been withheld by the Syrian government forces, in what activists dubbed another crime perpetrated by the government militias in war-torn Syria.

Withholding the bodies of slain civilians is prohibited under international law, except in cases where pillage and mistreatment are feared to occur. The Fourth Geneva Convention, the Hague Convention, and the Rome Statute consider the despoliation and mistreatment of dead bodies war crimes. Death is routinely attributed to sudden heart attacks or acute hypotension, despite the bodies showing signs of extreme torture.

Deaths by year

2014 witnessed an increase in the victims of torture in Syrian prisons, with at least 167 Palestinian refugees pronounced dead, up from five victims in 2011. 79 such victims were identified in gruesome pictures leaked by Syrian military police defectors and activists. AGPS figures for victims of torture recorded throughout the seven-year conflict documented the death of five Palestinians in 2011; 38 in 2012; 89 in 2013; 167 in 2014; 144 in 2015; 26 in 2016; and 12 in 2017.

Victims of Torture by Major Province

AGPS found out that 61.75% of Palestinian victims of torture were kidnapped from Damascus and its suburbs, with an estimated number of 331 refugees.

Damascus province topped the list with 239 victims, followed by Rif Dimashq with 92 victims. 23 were, meanwhile, pronounced dead in Daraa, 53 in Hums, 32 in Hama, 28 in Latakia, 19 in Aleppo, and 50 in unidentified locations.

Conclusion

Denied of the legal and physical protection urgently needed at times of insecurity, the Palestinian refugee community has been deprived of the right to fair and speedy trials, attorney assistance, and impartial treatment, among other basic rights.

As death toll has increased dramatically among Palestinians held captive in Syria, alarm bells continue to be sounded over the unabated pace of fatal torture and human rights abuses frequently perpetrated against such an underprivileged community.

Serious action should be made to release the Palestinian refugees arbitrarily held in Syria's government-sanctioned penal complexes and secret cells.

[illegible] time all warring parties ceased their ruthless mistreatment of Palestinian refugees, revealed the fate of dozens of victims of forced disappearance, and discharged withheld corpses of those secretly hanged in undisclosed crypts.

The international community and human rights institutions should also immediately step in and live up to their responsibilities vis-à-vis the war crimes and flagrant violations committed in Syrian prisons.

Independent fact-finding envoys should be urgently dispatched to Syria so as to help brining those involved in torture crimes to international courts and save thousands of Palestinian captives before it is too late.